S.B. CR.MISC.BAIL APPL.NO.7230/2007.

Suresh Kumar Meena
Vs.
State

Date of order : 2/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Govind Chaudhary for the petitioner.
Shri Harshvardhan Nandvana PP for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioner has argued that though the offences alleged to have been committed by the petitioner are under Sections 384, 386 and 509 IPC but only offences u/Ss.384 and 386 IPC are non-bailable. It will be borne out from the contents of the FIR that there is no allegation worth the name which can substantiate the alleged extortion by putting the person in fear of death or grievous hurt. Offence u/S.386 IPC is alleged only with a view to making the case non-bailable which is otherwise bailable. Petitioner is in jail for last more than one & half months and the investigation is almost complete. Further detention of the petitioner is therefore no longer required for any purpose of investigation. Trial of the case will take long.

Learned Public Prosecutor has opposed the bail application.

Without expressing any opinion on the merits of the case but taking into consideration the aforesaid arguments, I deem it appropriate to enlarge the petitioner on bail during trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Suresh Kumar Meena S/o Babu Lal Meena shall be released on bail in F.I.R. No.215/2007 P.S. Udyog Nagar,Kota City, Distt.Kota for offences under Sections 384, 386 and 509 IPC subject to his furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

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